

## **REMARKS**

Claims 30, 31, 34-36, and 43 are presently pending and stand rejected. Claims 1-29, 32, 33, and 37-42 have been cancelled without prejudice.

Claim 30 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Husain et al. (USPN 6,978,390, “Husain”) in view of Miettinen (USPN 7,352,999, “Miettinen”) and Gussler (USPN 6,778,639, “Gussler”). Claim 30 recites, among other limitations, “wherein the mobile terminal is operable to detect a command preceding an audio signal and operable to record the account information after detecting the command, wherein the command is transmitted wirelessly from a location that is remote from the mobile terminal”.

Examiner has indicated that Gussler teaches the foregoing at col. 8, lines 1-4. Assignee respectfully traverses and submits that Gussler merely sends “permission”, but does not send a command. Specifically, granting permission is not a command. Accordingly, Assignee respectfully requests that Examiner withdraw the rejection to claims 30, 31, 34-36, and 43.

## **Conclusion**

For the foregoing reasons, each of the pending claims is allowable making the application in a condition for allowance. A notice of allowance is respectfully requested. It is believed that no fee is due, however, to the extent that any fee is due, the Commissioner is hereby authorized to charge such fee to charge account 13-0017.

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Respectfully submitted,



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